



US920010365US1

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- 1 -

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	:	Before the Examiner:
Banerjee et al.	:	Elahee
Serial No.: 09/892,964	:	Group Art Unit: 2645
Filed: June 27, 2001	:	
Title: UTILIZING PARALLEL	:	Intellectual Property Law
AVAILABLE SERVICES OVER A	:	IBM Corp.
WIRELESS NETWORK	:	11400 Burnet Road
	:	Austin, Texas 78758

**DECLARATION UNDER 37 C.F.R. § 1.131**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

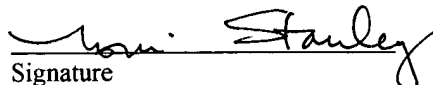
1. I, Volel Emile, was employed as patent counsel with IBM Corp. during the period of time between March 21, 2001 and April 11, 2001. Preparation of the above-identified patent application by Kelly K. Kordzik was performed under my supervision.

2. Prior to the critical date of March 22, 2001, an invention disclosure was prepared by one or more of the inventors of the above-identified patent application by using an online invention disclosure form available to the inventors over a network maintained by IBM Corp. This invention disclosure was identified as Exhibits A and B in the Declaration previously submitted to the Examiner on March 19, 2004.

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**CERTIFICATION UNDER 37 C.F.R. § 1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on September 17, 2004.

  
Signature

Toni Stanley  
(Printed name of person certifying)

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3. As is typical with invention disclosures prepared and submitted in such a manner within IBM Corp., upon receipt of the submitted invention disclosure form identified in paragraph 2, it was placed in a queue with other invention disclosures for consideration by a patent review committee within IBM Corp.

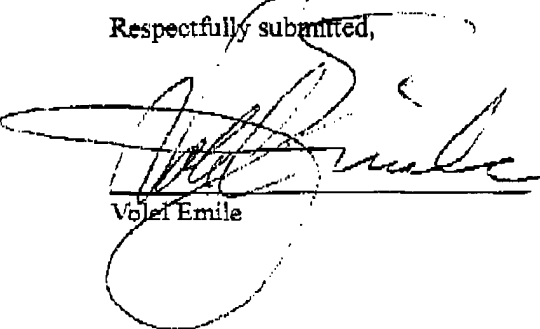
4. After the aforementioned patent review committee had decided to file a patent application based on the invention disclosure, the invention disclosure was assigned a docket number and placed in a queue given to my administrative assistant, along with instructions of which outside counsel to send the invention disclosure to for preparation of a corresponding patent application.

5. My administrative assistant then prepared the April 11, 2001 letter, previously identified to the Examiner, to Mr. Kelly K. Kordzik of Winstead Sechrest & Minick, and sent the cover letter, along with the invention disclosure to Mr. Kordzik for preparation of a corresponding patent application.

6. The actions taken in paragraphs 2-5, are the typical actions taken by personnel within IBM Corp. on a daily basis for the preparation and filing of patent applications based on invention disclosures submitted by inventor employees of IBM Corp. All such actions were performed with diligence by personnel of IBM Corp. Some or all of these actions were taken by IBM Corp. personnel during the period of time between March 21, 2001 and April 11, 2001.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this Declaration is directed.

Respectfully submitted,



Volel Emile

Austin\_12605673  
7047-P437US 9/14/2004